United Nations S/RES/2382 (2017)

Security Council

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Resolution 2382 (2017)

Adopted by the Security Council at its 8086th meeting, on 6 November 2017

The Security Council,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling its resolution 2185 (2014) on United Nations Policing, as well as relevant resolutions such as resolutions 1265 (1999) and 1894 (2009) on the protection of civilians, 1325 (2000) and 2242 (2015) on women, peace and security, 2086 (2013) and 2378 (2017) on peacekeeping operations, 2151 (2014) on security sector reform, 2171 (2014) on conflict prevention, 2282 (2016) on post-conflict peacebuilding, and statements of its President such as the statement of 21 February 2014 (S/PRST/2014/5) on the rule of law, as well as the statement of 14 July 1997 (S/PRST/1997/38), and the reports of the Secretary-General A/66/615 and S/2016/952 on United Nations Policing,

Taking note of the Report of the Secretary-General on United Nations Policing of November 2016 and its vision for United Nations Police Components ready to effectively address the challenges of the twenty-first century,

Stressing the primary responsibility of States for the prevention and resolution of conflicts, as well as for the protection of civilians and the important contribution that United Nations Policing in peacekeeping and special political missions can provide throughout the conflict cycle, where and as mandated, including through the protection of civilians, capacity-building and development efforts of host-State police services, and *noting* the relevance of its contribution when considering the broader reform of the peace and security pillar,

Affirming that lasting peace is not achieved nor sustained by military and technical engagements alone, but through political solutions and strongly convinced that such political solutions should guide the design and deployment of United Nations peacekeeping operations,

Reaffirming its commitment to upholding the purposes and principles of the Charter of the United Nations, including its commitment to and respect for the principles of political independence, sovereign equality and territorial integrity of all States in conducting all peacekeeping activities and the need for States to comply with their obligations under international law,

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Further reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and recognizing that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned, and that the Security Council expects full delivery of the mandates it authorizes,

Welcoming the role that UN Police Components can play in facilitating the transitions from peacekeeping to development and peacebuilding, and recognizing that improved performance of United Nations Policing can contribute to successful exit strategies of peacekeeping missions and will require continued transparent and accountable efforts to strengthen United Nations Police doctrine and its implementation and defining clearer standards for personnel, equipment, operations, performance, and assistance to host-State police services, as well as increased training and capacity-building to prepare police contributing countries and ensure predictable deployment,

Stressing that the successful implementation of the mandates of peacekeeping operations and special political missions requires close cooperation and use of integrated planning mechanisms between the different elements of these missions, including between police, military and civilian components, under the overall leadership of the Head of Mission,

Noting the important role United Nations Policing can play, where mandated, in strengthening the rule of law and security sector reform and *reaffirming* the lead role of national authorities in progressing the reform of police and other law enforcement agencies as part of wider rule of law and security sector reform efforts, including in dedicating national resources towards national police and other law enforcement institutions, and monitoring the impact of police reform, and *recognizing* that the political leadership and political will of national authorities are critical in this regard and success necessitates national ownership,

Highlighting the important role that United Nations Police Components can play in building the capacity of host-State policing and other law enforcement institutions, as mandated, in particular through building principles of community oriented policing and in addressing organized crime, particularly through support in the areas of border, immigration and maritime security and crime prevention, response and investigation, where mandated,

Having considered that transnational organized crime undermines stability and *further considering* that transnational organized crime can benefit international terrorism, which may require strengthening or rebuilding of criminal justice systems to address relevant threats,

Recalling the work conducted by the Security Council Working Group on Peacekeeping Operations, the Fourth and Fifth Committees of the General Assembly and the Special Committee on Peacekeeping Operations, which have provided guidance to the Secretariat on United Nations policing including on a standardized approach to United Nations Policing and compliance thereto, as well as support to the United Nations Secretariat to address capacity and capability gaps, where they exist, thereby improving the performance of United Nations Policing,

Noting the increasing scope and reliance on police abilities in United Nations operations and *welcoming* ongoing efforts to attain specialized capacities, capabilities and technologies for United Nations Police Components, *further noting* the Policy for Formed Police Units in United Nations Peacekeeping and *encouraging* Member States to contribute well-trained and appropriately vetted men and women police personnel with appropriate language skills for formed police units (FPUs) with the full complement of agreed contingent-owned equipment,

specialized police teams (SPTs) and individual police officers, as well as civilian experts, to effectively implement mandated tasks and facilitate the conditions for transitions and exits,

Noting that host-State policing institutions should be the primary link between the government, individuals and communities on security issues, reiterating that professional, effective, accountable, and accessible law enforcement, corrections, and judicial institutions are necessary to lay the foundation for sustainable peace and national development, and further noting that failure to address operational and accountability deficits in police institutions can undermine the positive gains made, and thus risks a relapse into conflict,

Recognizing the indispensable role of women in United Nations peacekeeping and special political missions, including the critical role that women play in all peace and security efforts, including by providing diverse perspectives which can assist in building trust with local communities and *stressing* the need to increase their participation and leadership in decision-making in host-States with regard to policing and the rule of law,

Welcoming the efforts to incentivize greater numbers of women in military and police deployed and appointed to senior positions in United Nations peacekeeping operations, as both IPOs and as part of SPTs and FPUs, and efforts to review the obstacles preventing women's recruitment and professional advancement; taking note in this regard of the Secretary-General's System-wide Strategy on Gender Parity which tasks relevant United Nations entities, in consultation with Police-Contributing countries, to develop a separate, dedicated strategy on this matter,

Reaffirming its determination to pursue more prioritization when evaluating, mandating and reviewing United Nations peacekeeping operations, including through strengthening Triangular consultations with Troop and Police-Contributing Countries and the Secretariat, strengthening existing formal mechanisms, and underlining the shared responsibility for meaningful, inclusive, active and dynamic consultations, as well as enhancing its dialogue with host countries, with the aim of fully and successfully implementing peacekeeping mandates,

Noting with appreciation the improved cooperation between the United Nations, international, regional and subregional organizations and initiatives, including through training, sharing of experience, exchange of information, thematic expertise and operational readiness as appropriate, and the establishment by the United Nations Police Components of a serious and organized crime focal point network, and further noting that these efforts can strengthen host-State police and other law enforcement agencies' capacities and capabilities to counter transnational threats,

1. *Stresses* that the primacy of political solutions should be the hallmark of the approach of the United Nations to the resolution of conflict and *resolves* to include, on a case by case basis, policing as an integral part of the mandates and decision-making structures of United Nations peacekeeping operations and special political missions, taking into account the need for consistent integration of police expertise within the planning of such missions, and to give clear, credible, achievable, appropriately resourced mandates for policing-related activities, and *emphasizes* in this context the need to ensure a United Nations system-wide approach to the rule of law;

2. *Underscores* the critical importance of improving accountability, transparency, efficiency and effectiveness in the performance of United Nations peacekeeping operations and special political missions and calls on the Secretariat to continue efforts to strengthen doctrine and define clear standards for personnel,

equipment, operations, performance, and assistance to host nation police forces for effective performance of United Nations Police in missions, as well as for preparing Police-Contributing Countries for deployment, and requests the United Nations' Secretariat to assist Member States' training activities by providing timely and complete information regarding the training needs of Police-Contributing Countries and those with the capacity to deliver such training, to ensure coherence and identify where capability gaps remain, thereby enhancing triangular cooperation;

3. *Reaffirms* its ongoing efforts to review peacekeeping operations to ensure maximum effectiveness and efficiency on the ground, and to deepen these efforts in partnership with Police Contributing Countries, and requests the Secretary-General to ensure data streams related to the effectiveness of peacekeeping operations, including peacekeeping performance data, to include police, are centralized to improve analytics and evaluation of mission operations, based on clear and well identified benchmarks;

4. *Resolves* to continue to promote and support the finalization and operationalization of the Strategic Guidance Framework for International Police Peacekeeping, to conduct targeted recruitment based on identified field needs and develop a measurable accountability framework for the implementation of mandates, and requests the Secretary-General to consider undertaking the following to ensure the timely completion of country-specific mandates and improve performance:

(a) Strengthen the collaboration of United Nations Policing with the Peacekeeping Strategic Force Generation and Capability Planning Cell, so that police and military requirements are coordinated, force generation occurs in concert and performance data is centralized to improve performance based decision-making;

(b) Provide additional guidance for relevant officials, including for Special Representatives of the Secretary-General and Special Envoys, and assist relevant senior United Nations management to understand how to deliver mandated police-related tasks;

(c) Highlight in his regular reports to the Security Council concerning specific United Nations peacekeeping and special political missions mandated by the Security Council, updates on progress in terms of gender-responsive police reform and protection activities, where mandated, including efforts to make national police services more accessible and responsive to women, in order to improve Security Council oversight of police reform and protection of civilians activities in accordance with resolutions 2122 (2013) and 2242 (2015);

5. *Recognizes* the role of United Nations Policing in contributing, as appropriate, to the United Nations' efforts to prevent conflicts through, inter alia, as mandated, protection of civilians, and assisting host-States with relevant capacity-building and *calls* on the Secretary-General to make sure that planning of United Nations peacekeeping and special political missions with police mandates are based on a thorough analysis of the context, capacities and needs of host-States;

6. *Reaffirms* that States bear the primary responsibility for protection of civilians and *recognizes* the important role that United Nations Police Components can play, where and as mandated, in the protection of civilians, including in preventing and addressing sexual and gender based violence, and, where applicable, conflict-related sexual violence and violations and abuses against children in the context of conflict and post-conflict situations, including, where appropriate, supporting the efforts of host-authorities to build and reform policing and law enforcement institutions so they are able to sustainably and consistently protect civilians, and in this regard:

(a) *Urges* Police-Contributing Countries to ensure that all deployed IPOs, FPUs and SPTs have undergone comprehensive training, including specific training on protection of civilians, sexual and gender based violence, as well as child protection, as a key part of their predeployment training, to successfully fulfil their mandates;

(b) *Requests* the Secretary-General to ensure that United Nations Police Components support protection of civilians activities as part of the whole of mission approach in missions with protection of civilians mandates;

(c) *Reiterates* that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and build peace and of capacity-building efforts in support of host-State police, law enforcement agencies and, where appropriate, juvenile justice systems; underscoring in this regard the importance of specialized predeployment and in-mission training on mission-specific child protection and on appropriate comprehensive child-sensitive prevention and protection responses, as well as monitoring and reporting on violations and abuses committed against children, and stressing the importance of enhancing coordination between Police Components and Child Protection Advisers as well as Gender and Women Protection Advisers as outlined in all relevant United Nations Security Council resolutions;

7. *Requests* the Secretary-General to continue and strengthen efforts to enhance measures in United Nations peacekeeping and special political missions against all forms of sexual exploitation and abuse by United Nations personnel and on support to victims in cooperation with the Victims' Rights Advocate, *urges* all Police-Contributing Countries to ensure that all police personnel to be deployed are vetted for previous criminal acts of sexual exploitation and abuse and to deliver robust predeployment training to prevent sexual exploitation and abuse, and *recalls* the primary responsibility of Troop-Contributing Countries to investigate allegations of sexual exploitation and abuse by their personnel and of Troop- and Police-Contributing Countries to hold accountable, including through prosecution, where appropriate, their personnel for acts of sexual exploitation and abuse, taking into account due process;

8. *Reaffirms* the importance of national ownership and leadership in peacebuilding, whereby the responsibility for sustaining peace is broadly shared by the Government and all other national stakeholders, and *recognizes* that United Nations Police Components, including IPOs, FPOs and SPTs can contribute to building and sustaining peace by supporting host-State police and other law enforcement services, as mandated;

9. *Recalls in this regard* the importance of United Nations Policing-related support to non-United Nations security forces adhering to the Human Rights Due Diligence Policy;

10. *Recognizes* the importance of United Nations Policing by:

(a) Reaffirming its commitment to continue to convene the annual briefing of Heads of United Nations Police Components established in resolution 2185 (2014);

(b) Highlighting, where appropriate, United Nations Policing aspects in deliberations of the Security Council Working Group on Peacekeeping;

(c) Encouraging the inclusion of United Nations Policing issues in briefings of the Secretary-General's Special Representatives and Special Envoys and in the reports of the Secretary-General, where appropriate;

11. *Stresses* the importance of national ownership and commitment in policing and that, where appropriate, a thorough assessment of national capacity gaps in the area of police activities should inform United Nations Policing capacity-building activities and police development, including the composition of United Nations Police Components, and during planning, recruitment, the provision of guidance, and training;

12. *Welcomes* the efforts of Member States and the Secretariat to strengthen the strategic generation of both female and male police personnel with the appropriate expertise and language skills, in order to convey information and provide technical assistance in the most accessible manner to the desired audience, including through participation in the United Nations Chiefs of Police Summit and engagement in the Peacekeeping Capabilities Readiness System for Rapid Deployment, and *urges* Police-Contributing Countries to contribute further:

(a) Well-trained, equipped and performing FPUs, including rapidly deployable FPUs;

(b) Highly qualified IPOs and civilian experts with specialized skill sets;

(c) SPTs with proper support;

(d) A substantial increase in numbers of female police across the different roles, with the aim of an overall doubling by 2020, and increasing representation in leadership positions, in line with UNSCR 2242 (2015) and the original United Nations Global Goal to reach 20 per cent female officers by 2014;

(e) Police units that have completed predeployment training, with the support of the Secretariat, as appropriate, within the areas of their respective responsibilities, so that relevant mechanisms are in place to evaluate Member States' predeployment readiness;

13. *Reiterates* the importance of gender analysis in all police activities and mission phases and the role of Police Gender Advisers and its request to the Secretary-General to enhance coordination between Police Components and Child Protection Advisers as well as Gender and Women Protection Advisers, *calls upon* the United Nations Secretariat to work closely with Member States and UN-Women to overcome systemic challenges regarding the eligibility of female police for United Nations missions such as entry requirements, including by instituting special measures, or supporting women police associations, and encourages Member States to provide updates annually on these efforts, and share good practices in this regard;

14. *Notes* the continued efforts of the Secretary-General to enhance performance in the peace and security pillar and encourages the Secretariat to assess issues concerning the functions, structure and capacity of the Police Division in consultation with Member States;

15. *Welcomes* the work of the Police Division Standing Police Capacity (SPC) in providing a rapid, coherent, effective and responsive start-up and assistance capability for the Police Components of United Nations peacekeeping and special political missions as well as support to other United Nations entities through the Global Focal Point for Police, Justice and Corrections arrangement, and *requests* the Secretary-General to ensure the work of the SPC is better integrated into efforts of United Nations peacekeeping operations to ensure coordination and information sharing and that the SPC is used to maximum effect;

16. *Requests* the Secretary-General to provide a report by the end of 2018, including on:

(a) Implications for the delivery of policing mandates stemming from any changes to the United Nations Secretariat's Peace and Security Architecture;

(b) Strengthening United Nations Policing's operational and policy coherence within the United Nations system;

(c) Improving United Nations capability, accountability and transparency on United Nations Policing;

(d) Planning for strategic police generation gaps and key skill sets;

(e) Ensuring coherence of relevant United Nations Policing initiatives, in order to improve mission transitions and timely exits;

(f) Strengthening partnerships between the United Nations and international, regional and subregional organizations in accordance with Chapter VIII of the United Nations Charter, in the areas of policing.

United Nations S/RES/2383 (2017)

Security Council

Distr.: General
7 November 2017

Resolution 2383 (2017)

Adopted by the Security Council at its 8088th meeting, on 7 November 2017

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), 2077 (2012) 2125 (2013), 2184 (2014), 2246 (2015), and 2316 (2016) as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

Welcoming the report of the Secretary-General (S/2017/859), as requested by resolution 2316 (2016), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence, and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

Noting that the joint counter-piracy efforts of States, regions, organizations, the maritime industry, the private sector, think tanks, and civil society have resulted in a steady decline in pirate attacks as well as hijackings since 2011, and *expressing* concern about the recent piracy incidents that occurred during 2017 and by the ongoing threat that resurgent piracy and armed robbery at sea poses to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other ships, including fishing vessels operating in conformity with international law, *commending* Chinese and Indian naval forces for thwarting an attack on the OS-35, Chinese operations soldiers for capturing three pirates, and Chinese and European Union Naval Forces (EU NAVFOR) for preventing an attack on MV Al Heera, and *further commending* countries that have deployed naval forces in the Gulf of Aden and the Somali Basin to dissuade piracy networks from carrying out acts of piracy,

Supporting the outcome of the London Somalia Conference held on 11 May 2017, and the commitment of the Federal Government and Federal Member States of Somalia to developing their maritime security capabilities,

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Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("The Convention"), sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating* its concern over persons suspected of piracy having been released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Welcoming the successful prosecution of piracy cases in Belgium, India, Mauritius, and the Seychelles during the past year, while *noting* with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against pirates off the coast of Somalia, which has led to pirates in many cases being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of The Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for, or suspected of seizing, or exercising control over, a ship by force or threat thereof, or any other form of intimidation,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, noting the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 2 November 2017, from the Permanent Representative of the Permanent Mission of Somalia to the United Nations *expressing* the appreciation of Somali authorities to the Security Council for its assistance, expressing their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, asking member states and international organizations to support the Federal Government of Somalia in its efforts to address illegal, unreported, and unregulated fishing in its Exclusive Economic Zone, and *requesting* that the provisions of resolution 2316 (2016) be renewed for an additional 12 months,

Welcoming the participation of the Federal Government of Somalia and regional partners in the 20th plenary session of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in Mauritius July 5–7, 2017, co-hosted by the Indian Ocean Commission under the Chairmanship of the Republic of the Seychelles,

Recognizing the work of the CGPCS and the Law Enforcement Task Force to facilitate the prosecution of suspected pirates, and the intentions of the Regional Capacity Building Working Group to identify regional priorities and coordination of capacity-building activities and regional responsibilities,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Maritime Crime Programme, and being determined to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the EUNAVFOR Operation ATALANTA, Combined Maritime Forces' Combined Task Force 151, the counter-piracy activities of the African Union onshore in Somalia and the naval activities of the Southern Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other to suppress piracy and to protect ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, the Islamic Republic of Iran, Japan, the Republic of Korea, and the Russian Federation, which have deployed naval counter-piracy missions in the region,

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and to allow charters that favour arrangements that make use of such measures, while urging States to regulate such activities in accordance with applicable international law,

Welcoming and encouraging the capacity-building efforts in the region made by the International Maritime Organization (IMO) funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under the EU Capacity Building Mission in Somalia (EUCAP Somalia) which assists Somalia in strengthening its maritime security capacity in order to enable it to enforce maritime law more effectively, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastguard at the federal level and coastguard police at the Federal Member State level, *noting* with appreciation the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and in relevant parts of the Indian Ocean that are still within the High Risk Area and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing PCASP on board ships in high-risk areas, and further welcoming the European Union's EUCAP Somalia, which is working to develop the maritime security capacities of Somalia,

Underlining the importance of continuing to enhance the collection, preservation, and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the ongoing work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and *noting* the importance of enabling seafarers to give evidence in criminal proceedings to prosecute acts of piracy,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking to help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of commerce, and *welcoming* international efforts to coordinate the work of investigators and prosecutors, inter alia, through the Law Enforcement Task Force and collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *commending* the establishment of the Regional Centre for Operational Coordination (RCOC) in Seychelles on 1 July 2017, which will operate alongside its sister centre, and appreciating the establishment of the Regional Maritime

Information Fusion Centre (RMIFC) in Madagascar, including the establishment of the Piracy Prosecution Readiness Plan which, under the auspices of UNODC and in partnership with EU NAVFOR, will further develop the region's capacity to conduct piracy prosecutions,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, strongly *condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing* serious concern at the inhumane conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling* for the immediate release of all remaining hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Tanzania, and Seychelles, for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Maritime Crime Programme, the Trust Fund, and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and *emphasizing* the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the Federal Government of Somalia and Federal Member States to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

Welcoming the work of the Maritime Security Coordination Committee (MSCC), the central mechanism for developing capability and identifying and channelling support, as highlighted at the London Somalia Conference in May 2017, and *encouraging* the Somali national and regional administrations to take increasing responsibility for counter-piracy initiatives,

Expressing serious concern over reports of illegal, unreported and unregulated fishing (IUU) in Somalia's Exclusive Economic Zone (EEZ), and *noting* the complex relationship between IUU fishing and piracy, *recognizing* that IUU fishing accounts for millions of dollars in lost revenue for Somalia each year, and can contribute to destabilization among coastal communities,

Noting Somalia's accession to the FAO's Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, *recognizing* the projects supported by FAO and UNODC aimed at enhancing the Somalia's capacity to combat such activities, and *stressing* the need for States and international organizations to further intensify their support to the Federal Government of Somalia, at its request, in enhancing Somalia's capacity to combat such activities,

Recognizing the ongoing efforts of the Federal Government of Somalia towards the development of a legal regime for the distribution of fishing licences, *commending* in this regard the implementation of a component of the EU-funded Programme to Promote Regional Maritime Security (CCAP) with FAO aims to promote proper and transparent licensed and regulated fishing with regional states,

and *encouraging* further efforts in this regard, with the support of the international community,

Recalling the reports of the Secretary General which illustrate the seriousness of piracy and armed robbery at sea off the coast of Somalia and provide useful guidance for the investigation and prosecution of pirates, including on specialized anti-piracy courts,

Commending the Hostage Support Partnership (HSP) for the release of 26 seafarers in 2016, but *remaining concerned* that eight Iranian seafarers from the FV Siraj remain as hostages inside Somalia in appalling conditions, and *welcoming* the work of International Seafarers Welfare and Assistance Network (ISWAN) and Maritime Piracy Humanitarian Response Programme (MPHRP) in the provision of post trauma intervention and financial support to victims of piracy and their families; as well as the CGPCS Piracy Survivors Family Fund (PSFF), which provides funds for the survivors of Somali piracy, and for their families, to provide a range of support during and after captivity and recognizing the need to continue supporting these initiatives and contributions to funds,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy and highlight the best practices to eradicate this criminal phenomenon,

Noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in Yemen, Kenya, and Tanzania, *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development, and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further *emphasizing* that Somalia's long-term security rests with the effective development by Somali authorities of the Somali Coast Guard and Maritime Police Units, Somali National Army, and Somali Police Force,

Welcoming the Padang Communique and Maritime Cooperation Declaration adopted by the Indian Ocean Rim Association (IORA) at its 15th Council of Ministers meeting, which call upon members to support and strengthen cooperation to address maritime challenges including piracy and illegal trafficking of drugs,

Recognizing that the ongoing instability in Somalia and the acts of piracy and armed robbery at sea off its coast are inextricably linked, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia, as well as the activity of pirate groups in Somalia, are an important factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *While noting* improvements in Somalia, *recognizes* that piracy exacerbates instability in Somalia by introducing large amounts of illicit cash that fuels additional crime, corruption, and terrorism;

3. *Stresses* the need for a comprehensive response to prevent and suppress piracy and tackle its underlying causes by the international community;

4. *Underlines* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, *welcomes* the draft coast guard law which the Somali authorities, with the support of the European Union Naval Force (EUNAVFOR) Operation Atalanta and EUCAP Somalia have submitted to the Council of Ministers for approval by Parliament and *urges* the Somali authorities, to continue their work to pass a comprehensive set of anti-piracy and maritime laws without further delay and establish security forces with clear roles and jurisdictions to enforce these laws and to continue to develop, with international support as appropriate, the capacity of Somali courts to investigate and prosecute persons responsible for acts of piracy and armed robbery, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks;

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize, or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to have mechanisms in place to safely return effects seized by pirates, investigate and prosecute pirates and to patrol the waters off the coast of Somalia to prevent and suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and calls upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and, stresses that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Calls for* the immediate and unconditional release of all seafarers held hostage by Somali pirates, and further calls upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure their safe and immediate release;

10. *Welcomes* the initiative of the Seychelles authorities to establish a court for piracy and maritime crime and further *welcomes* the successful prosecution of piracy cases by this body;

11. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and

prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 43 of resolution 2093 (2013), and *calls* upon all States to cooperate fully with the Somalia and Eritrea Monitoring Group, including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

12. *Renews* its call upon States and regional organizations that are able to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

13. *Highlights* the importance of coordination among States and international organizations in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, commends the work of the CGPCS to facilitate such coordination in cooperation with the IMO, flag States, and Somali authorities, and urges continued support of these efforts;

14. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that, for a further period of 12 months from the date of this resolution to renew the authorizations as set out in paragraph 14 of resolution 2316 (2016) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

15. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations, or responsibilities of Member States under international law, including any rights or obligations under The Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed in response to the 2 November 2017 letter conveying the request of Somali authorities;

16. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional, and subregional organizations undertaking measures in accordance with paragraph 14 above;

17. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 14 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

18. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery,

and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, consistent with applicable international law including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims, witnesses, and persons detained as a result of operations conducted under this resolution;

19. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law, and decides to keep these matters under review, including, as appropriate, the establishment of specialized anti-piracy courts in Somalia with substantial international participation and/or support as set forth in resolution 2015 (2011), and encourages the CGPCS to continue its discussions in this regard;

20. *Welcomes*, in this context, the UNODC Maritime Crime Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

21. *Encourages* the Federal Government of Somalia to accede to the United Nations Convention Against Transnational Organized Crime, as part of its efforts to target money laundering and financial support structures on which piracy networks survive;

22. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

23. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

24. *Urges* all States to ensure that counter-piracy activities, particularly land-based activities, take into consideration the need to protect women and children from exploitation, including sexual exploitation;

25. *Urges* all States to share information with INTERPOL for use in the global piracy database, through appropriate channels;

26. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and urges both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

27. *Urges* States parties to The Convention and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to cooperate with the UNODC, IMO, and other States and international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

28. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and urges States, in

collaboration with the shipping and insurance industries and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation as appropriate at the first suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

29. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

30. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships, in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and recognizes the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

31. *Notes* the importance of securing the safe delivery of WFP assistance by sea, and welcomes the ongoing work by the WFP, EUNAVFOR Operation Atalanta, and flag States with regard to Vessel Protection Detachments on WFP vessels;

32. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 14 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

33. *Requests* the Secretary-General to report to the Security Council within eleven months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

34. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 14 above for additional periods upon the request of Somali authority;

35. *Decides* to remain seized of the matter.

United Nations S/RES/2384 (2017)

Security Council

Distr.: General
7 November 2017

Resolution 2384 (2017)

Adopted by the Security Council at its 8089th meeting, on 7 November 2017

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the Former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008, 1869 (2009) of 25 March 2009, 1895 (2009) of 18 November 2009, 1948 (2010) of 18 November 2010, 2019 (2011) of 16 November 2011, 2074 (2012) of 14 November 2012, 2123 (2013) of 12 November 2013, 2183 (2014) of 11 November 2014, 2247 (2015) of 10 November 2015, and 2315 (2016) of 8 November 2016,

Reaffirming its commitment to the political settlement of the conflicts in the Former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, Annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Noting the reports of the High Representative, including his latest report of 24 October 2017,

Noting positively that the initial implementation of the Reform Agenda, adopted by Bosnia and Herzegovina in July 2015, has provided the first steps of structural adjustment to the economy of the country,

Encouraging the authorities of Bosnia and Herzegovina, with the support of the international community, to accelerate their efforts to address the disposal of excess ammunition,

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

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Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

Welcoming the continued presence of EUFOR ALTHEA, successfully focusing on capacity-building and training while also retaining the capability to contribute to the Bosnia and Herzegovina authorities' deterrence capacity if the situation so requires,

Reiterating its calls on the competent authorities in Bosnia and Herzegovina to take necessary steps to complete the 5+2 agenda, which remains necessary for closure of the Office of the High Representative, as confirmed by the PIC Steering Board communiqués,

Reaffirming provisions concerning the High Representative as set out in its previous resolutions, and further reaffirming Article V of Annex 10 of the Peace Agreement regarding the High Representative's final authority in theatre in the interpretation of the civilian implementation of the Agreement,

Taking note of Bosnia and Herzegovina's leadership's commitment towards a European perspective, on the basis of the Peace Agreement, including through the submission of Bosnia and Herzegovina's EU membership application in February 2016 and through the work done to answer the EU Commission's Opinion questionnaire through the coordination mechanism on EU matters,

Reiterating its calls to all Bosnia and Herzegovina's political leaders to advance reconciliation and mutual understanding and to refrain from polarizing policies, actions and rhetoric,

Noting that the pace of implementation of the Reform Agenda has slowed down over the last months and *underscoring* the urgency to step up the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens,

Emphasizing the need for Bosnia and Herzegovina to step up efforts regarding the functioning and independence of the judiciary, the fight against corruption and organized crime and the fight against terrorism and prevention of radicalization,

Underscoring the urgency to address outstanding OSCE-ODIHR recommendations to improve the electoral framework and related rulings of the Constitutional Court of Bosnia and Herzegovina and the European Court of Human Rights and *emphasizing* electoral reforms should be approached in a spirit of consensus and dialogue and should move the country towards modern democratic standards,

Encouraging the parties to implement Bosnia and Herzegovina's National Action Plan on Women Peace and Security in an inclusive manner and *looking forward* to its continuation,

Taking note of the EU's planned strategic review in autumn 2017,

Recognizing that the security environment has remained calm and stable, and noting that the Bosnia and Herzegovina authorities have so far proven capable to deal with threats to the safe and secure environment,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with all the authorities in Bosnia and Herzegovina themselves and notes the continued willingness of the international community and major donors to support them in implementing the Peace Agreement, and calls upon all the authorities in Bosnia and Herzegovina to fully

cooperate with the International Criminal Tribunal for the Former Yugoslavia, as well as with the International Residual Mechanism for Criminal Tribunals, in order to complete its work in view of the forthcoming closure of the International Criminal Tribunal for the Former Yugoslavia;

2. *Welcomes* the EU's readiness to maintain an EU military operation (EUFOR ALTHEA) in Bosnia and Herzegovina from November 2017;

3. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of twelve months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR ALTHEA) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR ALTHEA will have the main peace stabilization role under the military aspects of the Peace Agreement;

4. *Decides* to renew the authorization provided by paragraph 11 of its resolution 2183 (2014) for a further period of twelve months starting from the date of adoption of this resolution;

5. *Authorizes* the Member States acting under paragraph 3 and 4 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with that annex and shall be equally subject to such enforcement action by EUFOR ALTHEA and the NATO presence as may be necessary to ensure implementation of those annexes and the protection of EUFOR ALTHEA and the NATO presence;

6. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR ALTHEA or the NATO Headquarters, in defence of the EUFOR ALTHEA or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR ALTHEA and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

7. *Authorizes* the Member States acting under paragraph 3 and 4 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

8. *Urges* the parties to step up the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens and in line with the European perspective the country is committed to, and, in this regard, *further calls* on them to refrain from any polarizing policy, action and rhetoric;

9. *Urges* the parties, in accordance with the Peace Agreement, to abide to their commitment to cooperate fully with all institutions involved in the implementation of this peace settlement, as described in the Peace Agreement, including Annex 4;

10. *Reaffirms* that under the Peace Agreement, Bosnia and Herzegovina consists of two entities, which exist legally by virtue of the Bosnia and Herzegovina Constitution, and further reaffirms that any change to the Constitution must be made in accordance with the amendment procedure prescribed therein;

11. *Decides* to remain seized of the matter.

United Nations S/RES/2385 (2017)

Security Council

Distr.: General
14 November 2017

Resolution 2385 (2017)

Adopted by the Security Council at its 8099th meeting, on 14 November 2017

The Security Council,

Recalling all its previous resolutions and statements of its President on the situation in Somalia and Eritrea, in particular resolutions 733 (1992), 1844 (2008), 1907 (2009), 2036 (2012), 2023 (2011), 2093 (2013), 2111 (2013), 2124 (2013), 2125 (2013), 2142 (2014), 2182 (2014), 2244 (2015) and 2317 (2016),

Taking note of the final reports of the Somalia and Eritrea Monitoring Group (the SEMG) on Somalia (S/2017/924) and Eritrea (S/2017/925) and their conclusions on the situations in both Somalia and Eritrea,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively, and underscoring the importance of working to prevent destabilizing effects of regional crises and disputes from spilling over into Somalia,

Condemning any flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo on Somalia, including when they undermine the sovereignty and territorial integrity of Somalia, and to Eritrea in violation of the arms embargo on Eritrea, as a serious threat to peace and stability in the region,

Expressing concern that Al-Shabaab continues to pose a serious threat to the peace and stability of Somalia and the region, and expressing concern at the emergence of, and growing threat of, affiliates of ISIL (also known as Da'esh),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights law, international refugee law, and international humanitarian law, threats to international peace and security caused by terrorist acts,

Welcoming the further improved relationship between the Federal Government of Somalia (FGS), Federal Member States (FMS), and the SEMG, and *underlining* the importance of these relationships improving further and strengthening in the future,

Welcoming the FGS and FMS's political agreement reached on 16 April 2017 on a National Security Architecture to integrate regional and federal forces, the

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Security Pact, agreed at the London Conference and looking forward to the Security Conference to be held in Mogadishu in December 2017,

Welcoming the efforts of the FGS to improve its notifications to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee"), *urging* further progress in the future, particularly in relation to post-delivery notifications, and *recalling* that improved arms and ammunition management in Somalia is a fundamental component of greater peace and stability for the region,

Taking note of the efforts of the FGS to restore key economic and financial institutions, increase domestic revenue and implement financial governance and structural reforms; *welcoming* the passing of a landmark telecommunications bill together with progress on the anti-corruption bill; and *highlighting* the importance of continual progress in these areas,

Underlining the importance of financial propriety in contributing to stability and prosperity and *stressing* the need for a zero tolerance approach to corruption to promote transparency and increase mutual accountability in Somalia,

Expressing serious concern at reports of illegal, unreported and unregulated fishing in waters where Somalia has jurisdiction, *underlining* the importance of refraining from illegal, unreported and unregulated fishing, *welcoming* further reporting on the matter, and encouraging the FGS, with the support of the international community, to ensure that fishing licenses are issued in a responsible manner and in line with the appropriate Somali legal framework,

Expressing serious concern at the ongoing difficulties in delivering humanitarian aid in Somalia, and *condemning* in the strongest terms any party obstructing the delivery of humanitarian assistance, as well as the misappropriation or diversion of any humanitarian funds or supplies,

Recalling that the FGS has the primary responsibility to protect its population, and *recognizing* the FGS' responsibility, working with the FMS to build the capacity of its own national security forces, as a matter of priority,

Taking note of the three meetings between the representative of the Government of Eritrea and the SEMG, *expressing concern* that the SEMG has not been able to visit Eritrea since 2011 and fully discharge its mandate, and *underlining* that deepened cooperation will help the Security Council fully assess Eritrea's compliance with the relevant Security Council resolutions,

Expressing concern over reports by the SEMG of ongoing Eritrean support for certain regional armed groups, and *encouraging* the SEMG to provide further detailed reporting and evidence on support for armed groups in the region,

Welcoming the release of four prisoners of war by Eritrea in March 2016, expressing concern at ongoing reports of Djiboutian combatants missing in action since the clashes in 2008, *calling on* Eritrea and Djibouti to continue to engage in resolving the issues of combatants, and *urging* Eritrea to share any further available detailed information pertaining to the combatants, including to the SEMG,

Welcoming the restraint shown by both Eritrea and Djibouti with regard to the situation on their shared border following the withdrawal of Qatari forces, recalling the African Union's deployment of a fact finding mission to the Djibouti border following the withdrawal of Qatari forces, *noting* that the fact-finding mission visited Djibouti and is yet to visit Asmara, and welcoming the call by the Assembly of the African Union in July 2017 to encourage the Chairperson of the Commission, with the necessary support of the two countries, to pursue efforts towards normalization of relations and good neighbourhood between Djibouti and Eritrea,

Underlining the importance it attaches to all Member States complying with the terms of the arms embargo imposed on Eritrea by resolution 1907 (2009),

Determining that the situation in Somalia, as well as the dispute between Djibouti and Eritrea, continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Arms embargo

1. *Reaffirms* the arms embargo on Somalia, imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 (2013) and paragraphs 4 to 17 of resolution 2111 (2013), paragraph 14 of resolution 2125 (2013), paragraph 2 of resolution 2142 (2014), and paragraph 2 of resolution 2244 (2015), and paragraph 2 of resolution 2317 (2016) (hereafter referred to as "the arms embargo on Somalia");

2. *Decides* to renew the provisions set out in paragraph 2 of resolution 2142 (2014) until 15 November 2018, and in that context *reiterates* that the arms embargo on Somalia shall not apply to deliveries of weapons, ammunition or military equipment or the provision of advice, assistance or training, intended solely for the development of the Somali National Security Forces, to provide security for the Somali people, except in relation to deliveries of the items set out in the annex of resolution 2111 (2013);

3. *Reaffirms* that the entry into Somali ports for temporary visits of vessels carrying arms and related materiel for defensive purposes does not amount to a delivery of such items in violation of the arms embargo on Somalia, provided that such items remain at all times aboard such vessels;

4. *Reiterates* that weapons or military equipment sold or supplied solely for the development of the Somali National Security Forces may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Somali National Security Forces, and *underlines* the responsibility of the FGS to ensure the safe and effective management, storage and security of their stockpiles;

5. *Welcomes* in this regard the initial improvements by the FGS, of a more rigorous weapons registration, recording and marking procedure, *expresses concern* at reports of continued weapons diversion from within the FGS and FMS, *encourages* further improvements, *notes* that further improved weapons management is vital in order to prevent the diversion of weapons, and reiterates that the Security Council is committed to monitoring and assessing improvements in order to review the arms embargo when all conditions as set out in Security Council resolutions are met;

6. *Welcomes* the efforts of the FGS to develop detailed Standard Operating Procedures for weapons and ammunition management including an issue and receipt system to track all weapons post distribution, and *urges* the FGS to finalize and implement these procedures as soon as possible;

7. *Further welcomes* the efforts of the FGS in establishing the Joint Verification Team (JVT) and *urges* Member States to support improved weapons and ammunition management to improve the capacity of the FGS to manage weapons and ammunition;

8. *Welcomes* the improvement in FGS reporting to the Security Council pursuant to paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7

of resolution 2244 (2015), *calls on* the FGS and FMS to implement the National Security Architecture, and the Security Pact, agreed at the London Conference on Somalia which set out to provide Somali-led security and protection to the people of Somalia, and *requests* the FGS to report to the Security Council in accordance with paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7 of resolution 2244 (2015) on the structure, composition, strength and disposition of its Security Forces, including the status of regional and militia forces by 30 March 2018 and then by 30 September 2018;

9. *Recalls* that the FGS has the primary responsibility to notify the Committee, pursuant to paragraphs 3 to 8 of resolution 2142 (2014), *welcomes* the efforts of the FGS in improving its notifications to the Committee;

10. *Calls upon* the FGS to improve the timeliness and content of notifications regarding the completion of deliveries, as set out in paragraph 6 of resolution 2142 (2014) and the destination unit upon distribution of imported arms and ammunition, as set out by paragraph 7 of resolution 2142 (2014);

11. *Stresses* Member States' obligations pursuant to the notification procedures set out in paragraph 11 (a) of resolution 2111 (2013), *underlines* the need for Member States to strictly follow the notification procedures for providing assistance to develop Somali security sector institutions, and *encourages* Member States to consider the Implementation Assistance Notice of 14 March 2016 as a guide;

12. *Recalls* paragraph 2 of resolution 2142 (2014) and notes that support for the development of the Somali National Security Forces may include, inter alia, building infrastructure and provision of salaries and stipends solely provided to the Somali National Security Forces;

13. *Urges* increased cooperation by Africa Union Mission in Somalia (AMISOM), as set out in paragraph 6 of resolution 2182 (2014), to document and register all military equipment captured as part of offensive operations or in the course of carrying out their mandates, involving other Somali National Security Forces as appropriate;

14. *Calls upon* the FGS and FMS to enhance civilian oversight of its Security Forces, to adopt and implement appropriate vetting procedures of all defence and security personnel, including human rights vetting, in particular through investigation and prosecuting individuals responsible for violations of international law, including international humanitarian law, and in this context *recalls* the importance of the Secretary-General's Human Rights and Due Diligence Policy in relation to the support provided by the United Nations to the Somali National Army;

15. *Requests* the SEMG to continue its investigations related to the export to Somalia of chemicals that may be used as oxidisers in the manufacture of improvised explosive devices, such as the precursors ammonium nitrate, potassium chlorate, potassium nitrate and sodium chlorate with a view to considering further action, and calls on Members States and the FGS to cooperate with the SEMG in this regard;

16. *Underlines* the importance of timely and predictable payment of salaries to the Somali security forces and *calls on* the FGS to implement systems to improve the timeliness and accountability of payments and supply of provisions to the Somali security forces;

17. *Recalls* the need to build the capacities of the Somali National Security Forces, in particular the provision of equipment, training and mentoring, in order to

develop credible, professional and representative security forces to enable the gradual handing over of security responsibilities from AMISOM to the Somali security forces, and *encourages* further donor support and coordination as set out in the Security Pact;

18. *Recalls* OP16 and OP17 of resolution 1907 (2009) and recognizes that during the course of its current and three previous mandates the SEMG has not found conclusive evidence that Eritrea supports Al-Shabaab;

19. *Further reaffirms* the arms embargo on Eritrea imposed by paragraphs 5 and 6 of resolution 1907 (2009) (hereafter referred to as "the arms embargo on Eritrea");

Threats to peace and security

20. *Expresses concern* at the continued reports of corruption and diversion of public resources which pose a risk to State-building efforts, *expresses serious concern* at reports of financial impropriety involving members of the FGS, FMS and Federal Parliament, which pose a risk to State-building efforts, and in this context *underlines* that individuals engaged in acts which threaten the peace and reconciliation process in Somalia may be listed for targeted measures;

21. *Welcomes* the efforts which the FGS has made in order to improve its financial management procedures including continued engagement between the FGS and the International Monetary Fund (IMF), *encourages* the FGS and FMS to maintain the pace of reform and continue the implementation of IMF-recommended reforms to support the continuation of a Staff Monitored Programme and increased transparency, accountability, comprehensiveness and predictability in revenue collection and budget allocations, and expresses concern at the generation and distribution of counterfeit Somali currency;

22. *Recognizes* that addressing outstanding constitutional issues around power and resource sharing between the FGS and FMS is crucial for Somalia's stability, *emphasizes* the importance of Somali leadership to address these issues in an inclusive manner, with the FGS and the FMS working constructively together, and *encourages* the FGS and FMS to implement the outstanding elements of the National Security Architecture agreement, including decisions around the make-up, distribution and command and control of the security forces and resource-sharing;

23. *Reaffirms* Somalia's sovereignty over its natural resources;

24. *Reiterates its serious concern* that the petroleum sector in Somalia could be a driver for increased conflict, and in that context underlines the vital importance of the FGS putting in place, without undue delay, resource-sharing arrangements and credible legal framework to ensure that the petroleum sector in Somalia does not become a source of increased tension;

25. *Expresses serious concern* at Al-Shabaab's increasing reliance on revenue from natural resources including the taxing of illicit sugar trade, agricultural production, and livestock and further expresses its concern at the group's involvement in the illicit charcoal trade, and *looks forward* to further SEMG reporting on this issue;

Charcoal ban

26. *Reaffirms* the ban on the import and export of Somali charcoal, as set out in paragraph 22 of resolution 2036 (2012) ("the charcoal ban"), *welcomes* efforts of Member States to prevent the import of charcoal of Somali origin, *reiterates* that the FGS and FMS shall take the necessary measures to prevent the export of charcoal

from Somalia, and *urges* Member States to continue their efforts to ensure full implementation of the ban;

27. *Reiterates* its requests in paragraph 18 of resolution 2111 (2013), that AMISOM support and assist the FGS and FMS in implementing the total ban on the export of charcoal from Somalia and *calls upon* AMISOM to facilitate regular access for the SEMG to charcoal exporting ports;

28. *Welcomes* the efforts of the Combined Maritime Forces (CMF) in their efforts to disrupt the export and import of charcoal to and from Somalia, and *further welcomes* the cooperation between the SEMG and CMF in keeping the Committee informed on the charcoal trade;

29. *Expresses concern* that the charcoal trade provides significant funding for Al-Shabaab, and in that context reiterates paragraphs 11 to 21 of resolution 2182 (2014), and *further decides* to renew the provisions set out in paragraph 15 of resolution 2182 (2014) until 15 November 2018;

30. *Condemns* the ongoing export of charcoal from Somalia, in violation of the total ban on the export of charcoal, *calls* on Members States to share information with the SEMG, *requests* the SEMG to focus on this in their next report, and propose further measures, taking account of human rights concerns, and *expresses* its intention to consider further measures if violations continue;

31. *Encourages* the United Nations Office on Drugs and Crime to continue its work, with the FGS, within its current mandate, under the Indian Ocean Forum on Maritime Crime to bring together relevant Member States and international organizations to develop strategies to disrupt the trade in Somali charcoal;

Humanitarian access

32. *Expresses serious concern* at the acute humanitarian situation in Somalia and the risk of famine, *welcomes* efforts by the United Nations, the international community and the FGS to avert famine, *condemns* in the strongest terms increased attacks against humanitarian actors and any misuse of donor assistance and the obstruction of the delivery of humanitarian aid, *reiterates* its demand that all parties allow and facilitate full, safe and unhindered access for the timely delivery of aid to persons in need across Somalia and *encourages* the FGS to improve the regulatory environment for aid donors;

33. *Decides* that until 15 November 2018 and without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Humanitarian Response Plan for Somalia;

34. *Requests* the Emergency Relief Coordinator to report to the Security Council by 15 October 2018 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and *requests* relevant United Nations agencies and humanitarian organizations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations;

Eritrea

35. *Welcomes* the SEMG's ongoing and significant efforts to engage with the Government of Eritrea, in that context recalls the three meetings between the Representative of the Government of Eritrea and the SEMG, *reiterates* its expectation that the Government of Eritrea will facilitate the entry of the SEMG to Eritrea, to discharge fully its mandate, in line with its repeated requests, including in paragraph 52 of resolution 2182 (2014);

36. *Welcomes* recent efforts by the Government of Eritrea to engage with the international community, *underlines* that deepened cooperation will help the Security Council be better informed about Eritrea's compliance with the relevant Security Council resolutions and enable a review of measures on Eritrea;

37. *Urges* the Government of Eritrea to facilitate visits by the SEMG to Eritrea, acknowledges the willingness as expressed by the Government of Eritrea to facilitate a visit by the Chair and urges the Government to agree a date as soon as possible;

38. *Calls on* Eritrea to cooperate fully with the SEMG, in accordance with the SEMG's mandate contained in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013);

39. *Urges* Eritrea and Djibouti to engage on the issue of the Djiboutian combatants missing in action and *urges* Eritrea to make available any further detailed information including to the SEMG;

40. *Urges* the two parties to continue to maintain an atmosphere of calm and restraint and *calls* on them to seek all available solutions to settle their border dispute peacefully in a manner consistent with international law;

41. *Expresses* its intention to keep under regular review measures on Eritrea, in light of the upcoming midterm update by the SEMG due by 30 April 2018, taking into account relevant Security Council resolutions, and paragraphs 35 to 40 above;

Somalia

42. *Recalls* resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, and *notes* one of the listing criteria under resolution 1844 (2008) is engaging in or providing support for acts that threaten the peace, security or stability of Somalia;

43. *Reiterates* its willingness to adopt targeted measures against individuals and entities on the basis of the above-mentioned criteria;

44. *Recalls* paragraph 2 (c) of resolution 2060 (2012) and emphasizes that certain misappropriation of financial resources is a criterion for designation and applies to misappropriation at all levels;

45. *Reiterates its request* for Member States to assist the SEMG in their investigations, *reiterates* that obstructing the investigations or work of the SEMG is a criterion for listing under paragraph 15 (e) of resolution 1907 (2009) and *further requests* the FGS, FMS and AMISOM to share information with the SEMG regarding Al-Shabaab activities;

46. *Decides* to extend until 15 December 2018 the mandate of the Somalia and Eritrea SEMG as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), and *expresses* its intention to review the mandate and take appropriate action regarding the further extension no later than 15 November 2018;

47. *Requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the SEMG, in consultation with the Committee, until 15 December 2018, drawing, as appropriate, on the expertise of the members of the SEMG established pursuant to previous resolutions, and *further requests* that administrative support to the SEMG be adjusted, within existing resources, to facilitate the delivery of their mandate;

48. *Requests* the SEMG to provide monthly updates to the Committee, and a comprehensive midterm update, as well as to submit, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea by 15 October 2018, covering all the tasks set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013) and paragraph 15 of resolution 2182 (2014);

49. *Requests* the Committee, in accordance with its mandate and in consultation with the SEMG and other relevant United Nations entities to consider the recommendations contained in the reports of the SEMG and recommend to the Security Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the measures imposed by paragraphs 1, 3 and 7 of resolutions 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) in response to continuing violations;

50. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures above, with a view to encouraging States to comply fully with this resolution;

51. *Decides* to remain seized of the matter.